

local markets have indeed been opened to competitive entry. Given the number and diversity of the economic and operational barriers to entry that the Commission has acknowledged exist,<sup>146</sup> the only viable way to confirm that local markets have actually been opened is to ascertain that new market entrants have established competitive footholds. As the Commission has recognized, such difficulty to detect stratagems as BOC failure to provide such basic functions as ordering, provisioning, maintenance and repair on a nondiscriminatory basis can severely disadvantage competitors.<sup>147</sup>

Second, widespread local exchange/exchange access competition confirms that the fourteen items on the "competitive checklist" have truly been "fully implemented." Full implementation requires actual operational viability, not mere paper promises, and operational viability generally can only be determined in a commercial setting. Competitors will readily identify flaws that might otherwise go unnoticed.

Third, widespread local exchange/exchange access competition ensures that the public will in fact derive the benefits competitive local service offerings should afford. Fourth, such competition will enhance the likelihood that long distance competition will not be adversely impacted by BOC entry into the "in-region," interLATA market. Consumers benefit from actual, not theoretical, competition. Market behavior is constrained by actual, not theoretical, market forces.

Simply put, the proof of the pudding is in the eating. If there is little or no local exchange/exchange access competition, the odds are that the petitioning BOC has not completely opened its markets and fully implemented all items on the "competitive checklist." As noted above, history teaches that monopolists do not readily relinquish market control. Economics teaches that

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<sup>146</sup> Local Competition First Report and Order, 11 FCC Rcd. 15499 at ¶¶ 10 - 20.

<sup>147</sup> Id. at ¶ 518.

corporations will generally pursue profit-maximizing strategies. Logic, therefore, dictates that the Commission should proceed with caution in doling out the sole incentive BOCs have to take actions that would otherwise be directly contrary to their interests.

### III.

### CONCLUSION

By reason of the foregoing, the Telecommunications Resellers Association urges the Commission to deny the Application of BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. under Section 271(d) of the Communications Act, as amended by Section 151 of the Telecommunications Act to provide interLATA service within the "in-region State" of South Carolina. As demonstrated by TRA above, BellSouth has failed to satisfy the requirements for providing "in-region," interLATA service set forth in Section 271(c), and to establish that the authorization it requests is consistent with the public interest, convenience and necessity, as required by Section 271(d)(3).

Respectfully submitted,

**TELECOMMUNICATIONS  
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## **EXHIBIT I**

### **BellSouth Resale Discount Percentages**

"Your Telecommunications Resale Advantage"



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➤ Resale Discount Percentages\*

	<u>AL</u>	<u>FL</u>	<u>GA</u>	<u>KY</u>	<u>LA</u>	<u>MS</u>	<u>NC</u>	<u>SC</u>	<u>TN</u>
<b>Res</b>	17%	21.83%	20.3%	16.79%	20.72%	15.75%	21.5%	14.8%	16%
<b>Bus</b>	17%	16.81%	17.3%	15.54%	20.72%	15.75%	17.6%	14.8%	16%

Average Rates Without Discount

<b>Res</b>	\$15	\$10	\$16	\$13	\$12	\$14	\$13	\$15	\$11
<b>Bus</b>	\$37	\$27	\$42	\$35	\$30	\$32	\$32	\$40	\$33

\* Individual Contract Discount Rates May Vary

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***Your Interconnection Advantage***

## CERTIFICATE OF SERVICE

I, Jeannine Greene Massey, hereby certify that copies of the foregoing document were mailed this 20th day of October, 1997, by United States First Class mail, postage prepaid, to the following:

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